

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

WANDA WALDON

Plaintiff Pro Se

vs

**BEXAR COUNTY CRIMINAL
DISTRICT ATTORNEY OFFICE**

Defendant

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Case No. 5:20-CV-00268

**(Formerly 2020CI02158
166th Judicial District
Bexar County, Texas)**

NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF SAID COURT

NOW COMES, Bexar County Criminal District Attorney's Office, Defendant in the above styled and numbered cause and files this its *Notice of Removal*. Defendant will respectfully show unto the Court the following:

1. On or about January 31, 2020 Plaintiff Wanda Waldon filed her *Petition of Complaint* in the 166th Judicial District, Bexar County Texas. Said Petition was served on Defendant on or about February 4, 2020. **Ex. A.** Plaintiff's suit alleges theories of recovery in accordance with the U.S. Constitution. **Ex. A**
2. Pursuant to 28 U.S.C. §1446(a), attached to this Notice of Removal are copies of all pleadings naming Defendant. **Ex. A.**
3. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because the removal is filed within thirty (30) days after Defendants first received a copy of a document from which it could first be ascertained that the case is one which is or has become removable.
4. The only Defendant is represented by the Bexar County Criminal District Attorney's Office.
5. The claims asserted against Defendant are civil actions in which this court has original jurisdiction under the provisions of 28 U.S.C. § 1331 and 28 U.S.C. § 1441(b). Plaintiff has asserted a cause of action arising under the U.S. Constitution.

6. Venue is proper in this district under 28 U.S.C. 1446(a) because Bexar County, where the removed action has been pending is encompassed by the United States District Court for the Western District of Texas, San Antonio, Division.

7. To the extent Plaintiff is asserting a state law cause of action the Defendant would show that the United States District Court has jurisdiction over said claims pursuant to the Court's supplemental jurisdiction because those claims arise out of and are derived from a common nucleus of operative facts which form the basis of Plaintiff's Civil Claims.

8. Defendant further submits that it will pay all costs and debts incurred in the removal proceeding should the court determine that this action is not removable or is improperly removed.

Respectfully submitted,
JOE D. GONZALES
Bexar County Criminal District Attorney

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served on the following on March 5, 2020:

WANDA WALDON
Plaintiff Pro Se
PO Box 790203
San Antonio TX 78279

☒ E-fileTexas
☒ CERTIFIED MAIL

/s/Brad Bennett
Bradford Bennett